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WWF Mediterranean Programme Office submission to

DG TREN PUBLIC CONSULTATION ON THE
EXTENSION OF THE TENs-T TO THE EU's NEIGHBOURS

QUESTIONS TO THE STAKEHOLDERS

31 March 2005

Sent by e-mail to TREN-TENT-extension@cec.eu.int

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Introduction

WWF Mediterranean Programme Office welcomes this public consultation on the extension of the Trans-European Transport Networks (TENs-T) to the EU's neighbours¹. However, answering the European Commission's DG TREN questions is not easy because we consider that they are not the most relevant questions at this time. Thus, we miss what we think are quite fundamental questions/issues regarding the need to better connect the EU and its neighbours such as:

- *Having a clear picture of the actual (real) transport needs in relation to the extension of the current TENs-T to the EU's Neighbouring Countries similar but improving upon the "Transport Infrastructure Needs Assessment" carried out prior to the previous extension of the TENs-T (mostly to Central and Eastern Europe in that case). We feel that DG TREN might somewhat be "building the house from the roof". Thus, until the actual needs are clarified, together with mapping of the "environmentally sensitive areas" and other relevant elements, one should not start identifying priority transport axes and projects as intended via this exercise. In as far as is stated in the "Public consultation working document", this is not the situation for all the EU's Neighbouring Countries. Therefore, we feel that this consultation is coming in too early. Indeed, the European Commission services should coordinate such an assessment of transport needs and this should be evaluated by an independent expert group. Otherwise the availability of EU funds in the Neighbouring Countries would trigger (and is already triggering, see answer to question 7) below) project ideas that otherwise would not even be on a pre-assessment agenda. These tend to be inadequate, over-dimensioned and generally controversial*
- *The contribution of an extension of the TENs-T to the EU's Neighbouring Countries with regard to the objectives of the EU Neighbourhood Policy and the principles laid down in the Lisbon and Gothenburg Strategies aiming for a dynamic and socially and environmentally sustainable economy*
- *The intended decision-making process on the TENs-T extension under consideration, mainly the question of public participation*
- *A Strategic Environmental Assessment of the extended TENs-T as a whole*
- *How to extract and learn the lessons from past TENs-T extensions, in particular on how to avoid the possible environmental damage of priority projects in terms of fragmentation of habitats, loss of biodiversity and water resources in countries where environmental protection standards are not at the level of those in the EU*
- *(Following from above) The conditionality of EU funding in non-EU Member States regarding the*

¹ 25 neighbouring countries and regions: Albania, Herzegovina, Croatia, Egypt, former Yugoslav Republic of Macedonia, Georgia, Israel, Jordan, Lebanon, Libya (as observer), Morocco, Moldova, Palestinian Authority, Russia, Serbia & Montenegro, Kosovo (under UNMIK administration), Switzerland, Syria, Tunisia, Turkey and Ukraine

application of EU legal requirements on nature (Habitats and Birds Directive) and water protection (Water Framework Directive) as well as on public participation (Aarhus Convention and transposing EU Directives) and for assessing environmental impacts (Environmental Impact Assessment and Strategic Environmental Assessment Directives)

*At the time of the last TENs-T guideline revision and extension 2003-4, environmental NGOs² made a series of key **recommendations** for improvements to current TEN-T policy, many of which are still relevant now. They have all been copied below for information:*

- ***A full Strategic Environmental Assessment of the whole network (TEN-T and TINA) must be carried out*** – coordinated by the Commission, with the full cooperation of the Member States. This is vital to ensure that negative environmental impacts are minimised
- ***Local networks must be prioritised.*** Local and regional transport systems should be maintained and improved, before national and EU funds are allocated to trans-national transport infrastructure
- ***Cost-benefit analysis must be improved.*** The TEN-T revision should make consideration of the ‘zero’ (no new investments) option compulsory. Improved methods of cost-benefit analysis must be developed, which integrate/internalise social and environmental costs
- ***Transport growth and GDP growth must be decoupled.*** The Community’s Sixth Environmental Action Programme and the conclusions of the Gothenburg EU Council set as an objective the significant decoupling of transport growth from economic growth. The TEN-T guidelines should refer to this objective
- ***Integrate the needs of the Natura 2000 network into the TEN-T.*** The Natura 2000 network of sites designated under the EU Habitats and Birds Directives protects Europe’s most important areas for wildlife. There must be no net loss to the ecological integrity of the Natura 2000 network as a result of transport infrastructure developments
- ***The TEN-T guidelines revision must fully respect the provisions of the Water Framework Directive.*** The requirements of achieving “no deterioration” of current water status (condition) and of achieving “good ecological and chemical status” via integrated river basin management and taking into consideration the specific value of wetlands for water management along European rivers must be implemented
- ***The European Investment Bank (EIB) should not be given a new mandate of providing a special fund for TEN-T until it improves its access to information and environmental procedures.*** The EIB should present a set of clear rules allowing affected citizens to get timely access to project information. The Bank must also increase its capacity to verify the environmental impacts of its investments, and not leave this entirely up to the project promoter. ***This could also be applicable to other international financing institutions such as the EBRD and the World Bank***

Which are the major axes?

- 1) What are the main transport axes, including motorways of the sea, connecting the European Union to the neighbouring countries or broader regions today?

Please see first bullet point in the “Introduction” above on the need to have a clear picture of the actual transport needs in relation to the extension of the current TENs-T to the EU’s Neighbouring Countries (a transport infrastructure needs assessment) to all these countries before identifying priority transport axes and projects as intended via this exercise.

Note, in any event, that the “missing” questions and NGO recommendations we have highlighted above could be used as some of the criteria to take into account when identifying the main transport axes connecting the EU to its Neighbouring Countries or broader regions today.

- 2) What will these axes be with a time horizon of 2020?

Please see first bullet point in the “Introduction” above on the need to have a clear picture of the actual transport needs in relation to the extension of the current TENs-T to the EU’s Neighbouring Countries (a transport infrastructure needs assessment) to all these countries before identifying priority transport axes and

² BirdLife International, Transport & Environment and WWF

projects as intended via this exercise

Notwithstanding, the development of transport volumes as such, per axes and per mode very much depend on the political objectives of the European Commission, its Member States and the Neighbouring Countries as well as the policies or instruments these parties intend to apply.

A policy aiming to develop strong and independent economies in the Neighbourhood Countries requires not only more investment in local and regional transport infrastructure, but also in other facilities such as universities/research, education, health services, energy supply and transparent and reliable political institutions/administration. Such a policy would reduce the need for long-distance transport and for huge transport infrastructure projects.

On the other hand, a policy aiming to exploit in as much as possible differences in labour costs, social and environmental legislation in order to geographically separate production patterns requires more investment in long-distance transport infrastructure. Such a policy has hardly shown to be effective so far. The US transportation research board concluded in 1997³ that putting more resources into education and training is likely to offer better returns than transport infrastructure investment. The Danish economist Bent Flyvbjerg (et al.) claimed in 'Megaprojects and Risks'⁴ that the substantial regional, national and international development benefits commonly claimed by the project promoters typically do not materialise. Further, a recent article in the Financial Times⁵ questions Portugal's massive investments in motorways, bridges, viaducts and other transport infrastructures when compared to Ireland. This other country has spent much less on such infrastructures but achieved much greater prosperity, and is held up as an example by those in Portugal who believe that the country should have focused more on education and professional skills than on building roads.

WWF is clearly in favour of developing independent local and regional economies rather than promoting an economic system focused on the exploitation of economic differences. WWF asks that the objective to promote and extend the EU internal market principles to Neighbouring Countries must be based on an equal consideration of the economic, social and environmental pillars of sustainable development. Therefore, it is crucial that the TENs-T policy and its extension to the EU's neighbourhood must be conditional to the application of the environmental (e.g. Habitats, Birds, Environmental Impact Assessment, Strategic Environmental Assessment and Water Framework Directives), public participation and social regulation agreed on within the EU.

3) What is the balance between the different transport modes?

Please see first bullet point in the "Introduction" above on the need to have a clear picture of the actual transport needs in relation to the extension of the current TENs-T to the EU's Neighbouring Countries (a transport infrastructure needs assessment) to all these countries before identifying priority transport axes and projects as intended via this exercise

Notwithstanding, so far, with regard to the Neighbourhood Countries in the East, rail freight has a much higher share than in the EU-15 "older" Member States. The development of transport in the new Member States over the last decade shows a substantial shift of freight transport from rail to road. This development is clearly against the objectives of the European Commission's White Paper on the common transport policy from 2001, which aims to stabilise rail freight at the level of 1998. It is very likely that such a shift to road transport will also happen once the EU internal market principles will be extended to Neighbourhood Countries. A problem of the rail network in both new EU Member States and Neighbourhood Countries is that it needs to be upgraded. However, some new Member States even have difficulties with maintaining existing networks without the extra effort of upgrading them (e.g. Poland plans to close one third of its rail network). Indeed hundreds of kilometres of railway lines are being closed in Central and Eastern Europe due to bad management and not enough money to repair them⁶. At the same time, inefficient use of existing infrastructure can lead to bottlenecks in the network and decrease the overall attractiveness of this transport mode. If the management issues are not tackled first, new lines will have to overcome the same bad image. This shows that

³ Transportation Research Board, 1997, 'Macroeconomic Analysis of the Linkages between Transportation Investments and Economic Performance'

⁴ « Megaprojects and Risks; an anatomy of ambition », Flyvbjerg, Bent, Niels Bruzelius and Werner Rothengatter, Cambridge 2003

⁵ « Infrastructure: Road and rail plans pose funding riddle », Peter Wise, Financial Times, 29 March 2005

⁶ Length of railways decreased by 5% in the EU's 10 new Member States during the pre-accession period. Source: TERM 2002, Paving the way for EU enlargement.

focussing on developing a few trans-European corridors clearly fails to respond to the transport needs of the new Member States and Neighbourhood Countries.

4) What are the current traffic volumes, both passenger and freight, on the proposed axes?

Please see first bullet point in the “Introduction” above on the need to have a clear picture of the actual transport needs in relation to the extension of the current TENs-T to the EU’s Neighbouring Countries (a transport infrastructure needs assessment) to all these countries before identifying priority transport axes and projects as intended via this exercise

5) What is the amount and share of international traffic to/from the Union or between the neighbouring regions?

Please see first bullet point in the “Introduction” above on the need to have a clear picture of the actual transport needs in relation to the extension of the current TENs-T to the EU’s Neighbouring Countries (a transport infrastructure needs assessment) to all these countries before identifying priority transport axes and projects as intended via this exercise

6) How will these traffic volumes develop by 2020?

See response to question 2) above.

7) **Are there particularly environmentally sensitive areas that must be taken into account when identifying major axes?**

Please see first bullet point in the “Introduction” above on the need to have a clear picture of the actual transport needs in relation to the extension of the current TENs-T to the EU’s Neighbouring Countries (a transport infrastructure needs assessment) to all these countries before identifying priority transport axes and projects as intended via this exercise.

Notwithstanding, it is generally acknowledged that environmentally sensitive areas must be protected from negative impacts caused by human activities, including transport. However, there is no generally approved definition of what can be described as a particularly sensitive area, in particular from a transport point of view.

On one side, International agreements (e.g. Bern and Ramsar Conventions, Convention on Biological Diversity, etc.) and Organisations (e.g. BirdLife International) as well as EU legislation (e.g. Habitats, Birds, and Water Framework Directives) define protected areas, where a balance must be found between protection and the use of the area and its resources. On the other side, the entire planet could be deemed as “sensitive”. Thus, the question of how to define sensitive areas that are not already designated as legally protected areas but where economic, environmental and social goals might clash, either within the areas themselves or between neighbouring areas. This aspect is particularly important with regard to the EU’s Neighbourhood Policy, as the affected countries are not yet obliged to comply with the relevant EU Directives to protect sensitive areas.

Some of these countries are lined up as potential future EU Member States (e.g. Turkey, Croatia) and should already be harmonising their national legislation in line with the requirements of EU Directives and Regulations. Other countries are bound via EU Neighbourhood Policy Action Plans or other political agreements to harmonise certain standards with those of the EU and this extends to the environmental acquis. However, having in mind the EU experience with protected area designation and management (the Natura 2000 network) as well as with the implementation and enforcement of other relevant EU environmental legislation, we fear that most of the damage to sensitive areas and the environment in general will be irreversibly done once these countries “catch up” with EU legislation (or equivalent), if ever. Furthermore, the European Commission – if it had the required human resources available, which is NOT the case - and the European Court of Justice will have no remit there and the only pressure that could be exerted by the EU will be “political” and not “legal”. In addition, for many of these countries there will not even be the political possibility to “threaten” with delayed EU Accession, as this may never be an issue. As a result, the European Commission’s power to act upon environmentally damaging projects may amount to almost nothing in the face of the prestige and importance of connecting different parts of Europe and its borders for the smooth

functioning of the internal market and making the European economy the most competitive in the world.

It is important to note that many of the last natural and semi-natural ecological systems in Europe are found in its Neighbouring Countries and that these are not only a “source” of biodiversity⁷, but also of livelihoods and of other socio-economic benefits for their inhabitants and beyond. Thus, naturally functioning ecosystems provide humans with a myriad of functions with and important socio-economic value that should be maintained for future generations. In the case of freshwater ecosystems (e.g. rivers lakes, wetlands), these include, for example, storage and recycling of nutrients; storage and recycling of human waste; storage and recycling of organic waste; groundwater recharge; groundwater discharge; natural flood control and flow regulation; erosion control; salinity control; water treatment; climatic stabilization and carbon sequestration⁸. Having natural water treatment and groundwater recharge and discharge provided by functioning freshwater ecosystems is vital for the EU’s Neighbourhood Countries. Thus, in a statement released on 21 March 2005, in advance of World Water Day (22 March), the World Health Organisation pointed that the highest yearly death rate associated to water (i.e. via lack of clean water) and sanitation (11,876 people) applies to the region comprising South-Eastern Europe, Romania, Bulgaria, Poland, Slovakia and others such as Georgia, Kyrgyzstan, Turkey, Turkmenistan, and Uzbekistan.

It is, thus, vital to require that these countries inventorise as a matter of urgency potential areas for designation as Natura 2000 or equivalent (e.g. Emerald Network), looking at the efforts already made under national legislation (e.g. National parks), International Conventions (e.g. Ramsar, Bern, Bonn Conventions, etc.) and Organisations (e.g. BirdLife International). This should be part of the initial identification of TENs-T axes/priority projects.

WWF is aware that BirdLife International has already carried out an exercise to identify Important Bird Areas (IBAs) in all the European territories including EU’s Neighbouring Countries⁹. IBAs are identified using a set of scientific criteria standardised at the sub-regional, regional and global levels. Within the EU, IBAs identified by BirdLife International have been recognised by the European Court of Justice as the best scientific reference when evaluating the completeness of the network of Special Protection Areas (SPAs) designated under Directive 409/79/EEC on (Wild) Birds. These sites are, therefore, of the highest biological and conservation importance for wild birds, both within and outside the EU.

It follows that when developing projects, plans or programmes outside its boundaries, the EU should strive to apply the same high standards of avoiding significant negative impacts to these sites as it is applied to SPAs within the EU. This is especially important in the EU-Candidate countries (Croatia, Turkey), which – as highlighted above - should already be harmonising their national legislation in line with the requirements of EU Directives and Regulations. In general terms, any new transport infrastructure development, be they roads, railways or inland waterways, as well as ports and airports, should take into consideration the need to maintain the ecological integrity of any of the listed IBAs. Transport corridors should be designed in a way that avoids any negative impact on these sites from the point of view of their qualifying bird species and their habitats. The safest (although by no means the only) practical way to ensure this is to avoid any physical impact within the boundaries of these sites by transport infrastructure, be they new or up-grading existing ones¹⁰.

WWF considers imperative that the lessons from the past TENs-T extensions must be learnt now¹¹. We do not

⁷ By maintaining : Migration and nursery habitats; ecosystem stability; integrity of other ecosystems; biological and genetic diversity ; etc. Read more on freshwater ecosystem functions and their economic value in WWF Living Waters Programme; 2004; *The Economic Values of the World’s Wetlands*, available at <http://www.panda.org/downloads/freshwater/wetlandsbrochurefinal.pdf>

⁸ See reference above

⁹ Information on IBAs in the countries relevant to the consultation exercise can be found on the following websites:

- Albania: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=2>
- Belarus: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=20>
- Bosnia-Herzegovina: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=27>
- Croatia: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=52>
- Macedonia: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=239>
- Moldova: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=139>
- Russia: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=174>
- Serbia and Montenegro: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=235>
- Turkey: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=214>
- Ukraine: <http://www.birdlife.net/datazone/sites/index.html?action=SitHTMFindResults.asp&INam=&Reg=7&Cty=219>

¹⁰ WWF is aware that BirdLife International is currently identifying those IBAs that are at particular risk to the potential extension of the TEN-T network to the neighboring countries based on GIS layers provided by DG TREN a few days ago

¹¹ See: WWF, BirdLife, et al. 2003, *Conflict Areas between the TEN-T and Nature Conservation: Case Studies*, at: <http://www.panda.org/downloads/europe/conflictbetweententandnatura2000.pdf>. See also: WWF-Austria/Danube Carpathian Programme, 2002,

want to end up, for example, in a situation as experienced now in EU-25 and Accession countries with regards the latest extension of the inland navigation component of the TENs-T Corridor VII (the Danube river), where several so-called navigation “bottlenecks” have been identified for removal (in order to make navigation possible) and which correspond 100% to the last remaining high ecological value stretches of the river¹². This is despite the fact that these stretches are protected by a myriad of EU, national or International designations. To make matters worse, the only way that seems to have been identified so far for such a “removal” is a harmonised, homogeneous and artificial deepening of the whole Danube main channel. This goes even beyond the 2.5 metre fairway (total) depth agreed internationally (Danube Convention) in 1962 and which no Danube country has respected yet. Instead they keep on lowering the depth of the river and incurring in high environmental impact/costs. At the same time, vessel traffic flows along the Danube river are reducing yearly. This is a lose/lose situation and clearly not the way forward in a XXI century Europe. For example, technical solutions (e.g. different types of shallow-draught boats) that take into account the natural hydraulics of the river may be a better option than further infrastructure/physical developments.

We are not only concerned about the bad examples in EU-25, but also about what we can already see happening in the Neighbourhood Countries with regards to the influence of the existing TENs-T and future extensions.

For example, Ukraine started in May 2004 – without informing and discussing this with neighbouring Romania - to build a new navigation canal through the core zone of the Danube Delta Biosphere Reserve, most probably using the future extension of Transport Corridor VII as an incentive. The fact that this is one of the most ecologically rich (environmentally sensitive) areas in Europe and protected by numerous International Conventions was totally ignored. Worse still, there are at least three alternative options that would not result in so much environmental damage whilst still being acceptable from an economic and social point of view. These were also ignored. Ukraine is still going ahead with this development even if it contradicts the requirements of national legislation; at least eleven International Conventions/agreements it is signatory to; and the environmental protection and sustainable development provisions of its EU Neighbourhood Policy Action Plan. The European Commission is unable to do much to stop this development, as it does not have the power to enforce EU legislation in Ukraine. Still, it has shown some concern by leading an international fact-finding mission to the region to assess environmental impacts and has put forward a series of recommendations that Ukraine should respect in order to continue with building the canal (and which Ukraine has mostly ignored). It has also raised the issue at a high political level, in the EU-Ukraine Cooperation Council. In any event, and despite the political effort that has been made, Ukraine seems to be free to keep on digging. Furthermore, it is the external relations agenda of the Commission, and not the environmental protection aspects, which dominates developments. Thus, one of the additional ten points recently included in the Ukraine’s Neighbourhood Policy Action Plan states that “Ukraine will be treated as a priority country in the ongoing preparations for the extension of Trans-European Networks”.

The Ukrainian example above could easily be replicated in any of the other EU Neighbourhood Countries and regions to be “connected” to the EU’s TENs-T. We are already concerned about the planned 400 km-long Danube-Sava-Adria shipping canal linking the Danube river via Croatia with the Adriatic sea, which is also part of the future extension of Transport Corridor VII. This would jeopardise breeding sites for protected bird species such as the White-tailed eagle and deteriorate the current (intact) ecological status of the Kopacki rit wetland system (meanders and floodplains) in the Drava river (Croatia) and others along the Sava river (Croatia), which are already protected by national law and/or identified as IBAs by BirdLife International. The overall project costs have been estimated at 200 million Euro but it has not yet been subject of an adequate cost-benefit analysis nor an Environmental Impact Assessment¹³.

Replication of these bad examples could extend even more rapidly amongst EU Neighbourhood Countries if EU money (or from other international financing institutions) is going to be more readily deployed for financing them (at least in part?) and funding will not rest solely on the shoulders of national economies (one of the main obstacles for the development of large transport infrastructures in many countries).

Waterway Transport on Europe's Lifeline, the Danube: Impacts, Threats and Opportunities, at: <http://www.wwf.at/downloads/waterway-transport-DanubeReport.pdf>

¹² Presentation «Navigation: Curse or Blessing for the Danube?» and especially the maps showing the conflict between navigation plans and nature at <http://www.panda.org/downloads/europe/danubetransportnatureconflictmaps.doc>

¹³ WWF-Austria/Danube Carpathian Programme, 2002, Waterway Transport on Europe's Lifeline, the Danube: Impacts, Threats and Opportunities, at: <http://www.wwf.at/downloads/waterway-transport-DanubeReport.pdf>

From the point of view of environmentally sensitive areas and environmental protection in general, the extension of the TENs-T to Neighbouring Countries must, therefore, at the very least:

- a) Be subject to the application of (identical or equivalent) provisions of EU Directives on the protection of habitats, birds and water as well as on public participation (Aarhus Convention and transposing EU Directives) and for assessing environmental impacts (Environmental Impact Assessment and Strategic Environmental Assessment Directives), including the internalisation of environmental externalities in any cost-effectiveness tests*
- b) Be subject to relevant discussion, dialogue and cooperation between Ministries with responsibility for Environmental Protection/Nature conservation/Water management and Transport, including at the transboundary level*
- c) Be subject to public scrutiny and be assessed by an independent body, including at the transboundary level*
- d) Not go ahead until – at least – all relevant areas for the protection of endangered species and habitats have been inventorised/identified, protected and suitable management plans are in place. This should include areas that are already designated under national law, International Conventions and Organisations (e.g. BirdLife International); and - whenever possible - be extended to all “environmentally sensitive areas” that could easily be affected by TENs-T projects. The European Commission should require this information from Neighbourhood Countries as a condition sine qua non for the identification and development of any TENs-T axes/priority projects*
- e) Only developed once the European Commission can ensure that it has enough human capacity and political power to be able to monitor progress in the way the country respects the standards/criteria mentioned under a)-d) above and to enforce them. This should include the establishment of a penalty system (preferably relating to withdrawal of EU investments in those countries) for lack of compliance*

Which investments and how?

- 1) Which are the most pressing congestion, traffic safety or geographical bottlenecks on the major axes that could justify investments?

Please see first bullet point in the “Introduction” above on the need to have a clear picture of the actual transport needs in relation to the extension of the current TENs-T to the EU’s Neighbouring Countries (a transport infrastructure needs assessment) to all these countries before identifying priority transport axes and projects as intended via this exercise.

Notwithstanding, and even without knowing the traffic volumes in detail, congestion does not seem to be a problem yet with regard to the axes relevant to Neighbouring Countries.

Traffic safety is a relevant issue and surely requires investments in maintaining and upgrading the existing road transport infrastructure as well as the use of safer transport modes such as rail and water transport. Again, transport safety requires more investments in local and regional networks rather than in a few prestigious pan-European corridors. In addition, it is important that EU legislation with regard to labour conditions, working and rest-time as well as existing road codes are applied, strengthened and thoroughly enforced in the EU Member States and Neighbourhood Countries. The working conditions of truck drivers in new Member States and in the EU’s neighbourhood are very poor, which represents a considerable risk for road safety.

Regarding geographical bottlenecks, please note the comments made in relation to question 7 above

- 2) What kind of improvements (rehabilitation, new construction) to the infrastructure would be needed to remove the bottlenecks?

-

- 3) What is the time horizon for the realisation of such a project?

-

- 4) What would the economic, environmental and safety benefits of such project be?

This is a fundamental question that cannot appropriately be answered in this form. It should be in the interest of the European Commission and all the Member States and its citizens that taxpayers' money must be used in the most efficient manner as possible. Including that it is not used for damaging the environment, which would actually result in socio-economic costs from the impaired ecosystem functions¹⁴ from which humans would not be able to benefit anymore (e.g. water purification, flood control, see also comments made in relation to question 7) above). Investments in huge transport infrastructure hardly deliver what they promise. The final benefits are often half as high as the forecasts and the costs double the estimates that served as a basis for the political decision to go ahead with the projects (see Frybjerg et al.¹⁵ and response to question 2) first part above).

The European Commission should, therefore, demand for all TENs-T projects – including not only terrestrial transport routes but also motorways of the sea - within the EU and in its neighbours a comprehensive assessment of all the economic, social and environmental impacts (taking into account all relevant international and EU environmental protection legislation and including internalisation of the environmental externalities, e.g. economic valuation of ecosystem functions). This should be subject to public scrutiny and be assessed by an independent body, including at the transboundary level. In fact the whole of the TENs-T extension should be subject to a Strategic Environmental Assessment.

5) Are there alternative technical or modal options to remove or alleviate the bottleneck?

Regarding removal of bottlenecks specifically, please note the comments made in relation to question 7 in the section above.

Notwithstanding, the application of transport telematics for road and rail and interoperability of rail infrastructure increases the capacity of existing infrastructure.

*The establishment of a level-playing field within transport modes contributes also to a more efficient use of transport infrastructure. This includes the application of the “user and polluter pays principle” for all transport modes. For example, we believe that, unless a thorough and comprehensive assessment of all transport options is made (in the context of a Strategic Environmental Assessment of the overall TENs-T extension), the **motorways of the sea** may actually lead to additional rather than less road and rail trips by creating additional carrying capacity. Also note that the motorways of the sea can be more damaging than roads. For example, the high-speed ferries not only consume significant amounts of energy but also may threaten marine or riverine flora and fauna. This depends on the speed and emission performance of ships, as well as on the way in which they are operated, and should be well regulated before any significant investments are made.*

*Similarly, **inland navigation** is not necessarily the simple sustainable option for transport in Europe as it is commonly portrayed to be. Research in the United States points out at emissions from road transport being lower than those from inland waterways¹⁶. The negative social, economic and ecological impacts (e.g. loss of aquatic biodiversity due to riverine and associated habitat fragmentation and destruction) from water transport can be significant¹⁷. Therefore, the sustainability of this type of transport needs to be evaluated not only against other transport media in an isolated context, but rather against the impacts (environmental, social and economic) of each one of them in a specific context and against the possible alternatives. Furthermore, other questions will also need to be put into this equation, for example, can inland navigation be sustainable if all we are doing is transferring negative environmental (or social or economic) impacts from one sector or medium (i.e. land or air) to another (e.g. water and wetlands)? And is it really sustainable to use a key part of the environment (i.e. rivers) for one economic use (transport) while ignoring the myriad of other economically useful functions that they supply¹⁸?*

¹⁴ Read more on freshwater ecosystem functions and their economic value in WWF Living Waters Programme; 2004; *The Economic Values of the World's Wetlands*, available at <http://www.panda.org/downloads/freshwater/wetlandsbrochurefinal.pdf>

¹⁵ « Megaprojects and Risks; an anatomy of ambition”, Flyvbjerg, Bent, Niels Bruzelius and Werner Rothengatter, Cambridge 2003

¹⁶ March 15 issue of the “Environmental Science and Technology”, a peer-reviewed publication of the American Chemical Society available at <http://www.sciencedaily.com/releases/2002/03/020325081135.htm>

¹⁷ Read more on threats from inland navigation to freshwater ecosystems in « Inland navigation in the new EU – Looking ahead: *Corridor VII or blue Danube?* – WWF Presentation for Green Week's session “Die Schöne Blaue Donau”, 4 June 2004, available at <http://www.panda.org/downloads/europe/wwfgreenweekdanubnavigationpaperfinal.pdf>

¹⁸ Read more on freshwater ecosystem functions and their economic value in WWF Living Waters Programme; 2004; *The Economic Values of the World's Wetlands*, available at <http://www.panda.org/downloads/freshwater/wetlandsbrochurefinal.pdf>

Note that any existing or additional inland navigation and motorways of the sea in the EU and many of its neighbours (e.g. those sharing river basins with EU countries) should respect the provisions of the Water Framework Directive (which entered into force on 22 December 2000). This Directive requires Member States to prevent further deterioration in water (including coastal) status and to achieve “good ecological and chemical status” through Integrated River Basin Management, even beyond their borders. These environmental objectives are particularly relevant when developing inland waterways and motorways across river, lakes, wetlands and coastal waters, which must respect them. They have been designed to deliver ecological quality improvements for freshwater ecosystems and associated socio-economic benefits for humans (e.g. water purification, flood control).

Note also that water bodies affected by existing and new transport infrastructures, whether these are inland waterways/motorways of the sea or not, could be exempted (at least partially) from achieving the Water Framework Directive’s above-mentioned objectives, but only if certain tests included in the Directive (e.g. Articles 4.3, 4.7, 4.8, 4.9 and 14) are adhered to.

Additionally, EU future energy policy, such as managing its oil demand (EU-Russia Energy Dialogue), has a considerable impact on future transport demands both within EU and between the EU and the East (e.g. Russian oil exports)

6) How can the project best be financed? What could be the role for private sector involvement and user charges?

The hope of public-private partnerships being developed to finance transport infrastructure with private money has been hardly met so far. This is another indication that most of the transport projects are not sufficiently viable/feasible for investment from the private sector. Unusual instruments such as loan guarantees to reduce the risk for private investors just undermine the advantage of private capital to properly assess projects and to eliminate (economically) unfeasible ones.

The application of the “user and polluter pays principle” should become a rule for transport, as it is common sense for most other goods in a market economy. Providing the use of transport infrastructure for free gives wrong price incentives and leads to a waste of resources. However, “user and polluter pays principle” charges and financing of projects should be separated. The “user and polluter pays principle” should, for example, be used to mitigate the possible negative environmental impacts of transport activities in a given axis by financing habitat restoration measures along that axis.

It is also a waste of resources to build expensive transport infrastructure and make the user pay for it afterwards if there are less expensive measures to reach the same objectives. The Oresund bridge linking Denmark and Sweden and the Channel tunnel linking the UK and France are only two of the most obvious examples showing the limits of private money and user charges to finance transport infrastructure. Realistically, such projects end up being paid afterwards by public money anyway.

Again to highlight that the availability of EU funds in new Member States and Neighbouring Countries very often triggers project ideas that otherwise would not even be on a pre-assessment agenda. Thus, they tend to be inadequate, over-dimensioned and generally controversial. Here is where EU funding conditionality, such as the minimum cost of the project, project selection criteria, objectives and other project pre-requisites - including respect for EU standards for environmental protection (see also answer to question 7 in the section above), is crucial for shaping the project proposals.

How to ensure seamless and efficient use of the axes?

1) What are the main technical and administrative bottlenecks on the axes?

Regarding removal of bottlenecks specifically, please note the comments made in relation to question 7 in the section on “Which are the major axes?” above.

Notwithstanding, with regard to rail networks, the lack of technical interoperability is a major bottleneck. In relation to the Neighbouring Countries in the East, there is - in addition to the difference of the power supply,

the safety and rail management systems - also a difference with regard to the gauges.

Furthermore, railways suffer from a more than 100 hundred-year history as nationalised monopolies, which still create administrative hurdles at the borders. This represents a competitive disadvantage with road transport, which has no obstacles within the EU at all although this does not apply to the Neighbouring Countries as yet.

Due to lack of adequate human resources, there is very poor administrative capacity for integrated transport planning in New Member states and Neighbouring Countries. Increasing institutional and human capacity for more integrated approach in transport would also reduce bottlenecks.

2) Are there problems of interoperability when crossing borders or changing modes?

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3) Is safety or security a major concern along an axis?

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4) What could be done to solve the bottlenecks today and with a time horizon of 2020?

Regarding removal of bottlenecks specifically, please note the comments made in relation to question 7 in the section on "Which are the major axes?" above.

Notwithstanding:

- *First, clearly define the objective.*
- *Second, make sure that these objectives do not contradict other objectives*
- *Third, assess potential measures with regard to their expected contribution to achieve the objectives*
- *Fourth, implement those with the best cost-effectiveness ratio based on a comprehensive assessment of all economic, social and environmental impacts, internalising the externalities.*

All these steps require the participation of organisations representing the interests of the citizens, taxpayers, employees, environmental interest groups etc. in the process. It is particularly important to include such organisations from Neighbouring Countries. The regional spread of the benefits is often misunderstood. Huge projects linking central and peripheral regions together bring often more benefits to the central regions and not those expected to the peripheral regions.

5) How can intermodal transport be facilitated?

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6) What common market rules should be implemented to facilitate and speed up transport along an axis?

This question is, in so far, unclear as to speed up transport should not be an objective in its own. Thus it makes no sense to implement rules aiming to achieve this objective.

7) Which policies or administrative procedures should be better integrated?

Social, environmental and regional development objectives should be integrated in the definition of transport objectives.

Social issues are directly relevant to the TEN-T. While peripheral areas suffer from a lack of connections, central areas could be blocked with congestion, along the TEN-T corridors. More infrastructure condensed in the central regions would only increase the gap, instead of achieving the TEN-T goal of social cohesion.

Regarding environmental protection objectives (and even on matters of public health), see answer to question 7) on "Which are the major axes?" above on environmentally sensitive areas.

We strongly believe that relevant existing legislation must be applied and enforced within the EU and in the Neighbouring Countries. This concerns nature and water protection, public participation, environmental impact assessments but also working and rest time regulation for road workers/drivers.

8) What could be the role of the private sector?

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